

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
**WATER RESOURCE MANAGEMENT**

REQUEST FOR COMMENTS ON THE DRAFT 2012 LIST OF WATER QUALITY  
LIMITED WATERS (303(d) LIST) PROPOSED AS AMENDMENT TO THE  
STATEWIDE WATER QUALITY MANAGEMENT PLAN

**Public Notice**

**Take Notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on the draft 2012 List of Water Quality Limited Waters (303(d) List). The draft 2012 303(d) List is proposed as an amendment to the Statewide Water Quality Management Plan pursuant to the Water Quality Management Planning rules at N.J.A.C. 7:15-6.2 and the Water Quality Planning Act at N.J.S.A. 58:11A-7.

States are required pursuant to Section 305(b) of the Federal Clean Water Act (CWA) (33 U.S.C. 1315(b) to biennially prepare and submit to the United States Environmental Protection Agency (USEPA) a report addressing the overall water quality of the State's waters, including support of designated uses, and strategies to maintain and improve water quality. This report is known as the Integrated Water Quality Monitoring and Assessment Report (Integrated Report). The Integrated Report identifies where regulatory and other actions have been successful in restoring water quality, where water quality improvement is needed, where high quality waters are threatened and/or need protection, and where further study and/or research is needed to address unresolved water quality issues, such as nutrient impacts on aquatic life uses. These results provide a sound scientific foundation to inform and prioritize the State's water regulatory and management programs. This state scale water quality information is required by the Clean Water Act to develop the overall national scale assessment of water quality.

As part of this report, States are required to develop a list of waters that currently do not meet, or are not expected to meet, applicable water quality standards after the implementation of technology-based controls. This list is known as the 303(d) List. The 303(d) List includes a priority ranking for scheduling total maximum daily loads (TMDLs), as well identifying TMDLs expected to be completed in the next two years. In accordance with N.J.A.C. 7:15-6.2, the Department is required to seek public comment on the draft 2012 303(d) List. After the public comment period, the Department will finalize the 303(d) list subsequent to making any necessary revisions based upon public comments, review by the Department and/or USEPA. The final 303(d) List will be submitted to the USEPA for approval. The Department will complete the 2012 Integrated Report once the 2012 303(d) list is finalized.

The scientific protocols and methods used to assess this data and develop the draft 2010 303(d) List are explained in the Department's 2012 Integrated Water Quality Monitoring and Assessment Methods (Methods Document). The draft 2012 Methods Document was published for public review and comment on December 5, 2011 (see 43 N.J.R. 887(a)). After considering the public comment received on the draft 2012 Methods Document, the Department finalized the 2012 Methods Document. The draft 2012 303(d) List was developed using the final 2012 Methods Document and readily available data submitted in response to the Department's notice of solicitation published on April 4, 2011 (see 43 N.J.R. 887(a)). A summary of the comments received on the revised draft 2012 Methods Document and agency responses is included as an Appendix in the Final 2012 Methods Document.

The Department is required to seek public comment on the draft 2012 303(d) List including priority ranking and the draft 2012 Two-Year schedule for TMDLs development. The Department is also providing a Status of Designated Uses by Subwatershed, an overview of water quality conditions and the final 2012 Methods Document to provide further context for the public comment process. All documents will be posted on the

Department's website at: [www.state.nj.us/dep/wms/bwqsa/2012\\_integrated\\_report.htm](http://www.state.nj.us/dep/wms/bwqsa/2012_integrated_report.htm). Interested persons may submit comments on the draft 2012 303(d) List by email to [debra.hammond@dep.state.nj.us](mailto:debra.hammond@dep.state.nj.us) or by mail to Debra Hammond at the New Jersey Department of Environmental Protection, Water Monitoring and Standards, Bureau of Water Quality Standards and Assessment, P.O. Box 420, 401 East State Street, Trenton, New Jersey, 08625-0409. All comments must be submitted by July 18, 2012.

Date

6/1/12

  
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Jill Lipoti, Ph. D.

Director

Division of Water Monitoring and Standards